

AN ORDINANCE 2007-04-05-0369

**AUTHORIZING THE EXECUTION OF AN AIRLINE-AIRPORT USE AND LEASE AGREEMENT WITH U.S. AIRWAYS, INC. FOR SPACE AT SAN ANTONIO INTERNATIONAL FOR A TERM COMMENCING ON APRIL 1, 2007 AND CONTINUING UNTIL SEPTEMBER 30, 2009 OR THE DATE OF BENEFICIAL OCCUPANCY OF TERMINAL B, WHICHEVER IS EARLIER.**

\* \* \* \* \*

**WHEREAS**, U.S. Airways, Inc. and its predecessors have provided daily non-stop passenger flights to and from San Antonio through a Space Sharing Agreement with Continental Airlines since 1983; and

**WHEREAS**, in January 2007, Continental Airlines announced that it would sever its relationship with U.S. Airways, and U.S. Airways desires to continue providing air service to and from San Antonio; and

**WHEREAS**, in support of such air service, U.S. Airways has requested that the City of San Antonio enter into an Airline-Airport Use Agreement in the form passed and approved by City Council in October 2001 as amended, to include office space and ticket counter space in Terminal One at the San Antonio International Airport, as well as obligations to pay landing fees and joint use fees based on passenger activity; and

**WHEREAS**, the revenue from this Airline-Airport Use Agreement is sufficient to meet the cost of repaying the debt incurred to finance certain Airport improvements as well as ongoing operation and maintenance of Airport facilities; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The City Manager or her designee is authorized to execute the attached Airline-Airport Use and Lease Agreement with U.S. Airways, Inc. for a term beginning on April 1, 2007 and ending September 30, 2009 or the date of beneficial occupancy of Terminal B, whichever is earlier, for use of in Terminal 2, as well as obligations to pay landing fees and joint use fees based on passenger activity.

**SECTION 2.** Fees generated by this Ordinance will be deposited into Fund 51001000 Aviation Operating and Maintenance Fund or Fund 51003000 Aviation PFC Revenues in the General Ledgers and Internal Orders listed below:

Amount	Fund	General Ledger	GL Text	Internal Order	IO Text
\$1,045,232.70	51001000	4409017	Aviation Building Rental Airlines	233000000016	TERMINAL I
\$46,875.00	51001000	4409012	Aviation Airline Ramp Fees	2330000000102	AIRFIELD ADMIN - FUND 51001000
\$485,913.60	51001000	4409046	Aviation Landing Fees Scheduled Airlines	2330000000102	AIRFIELD ADMIN - FUND 51001000
\$928,557.00	51003000	4409011	Aviation Airline Passenger Facility Chg	2330000000003	AVIATION ADMINISTRATION - PFC
Total Amount: \$2,506,578.30					

**SECTION 3.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 4.** This Ordinance shall take effect immediately upon passage by eight (8) affirmative votes; otherwise it shall be effective ten (10) days after its passage.

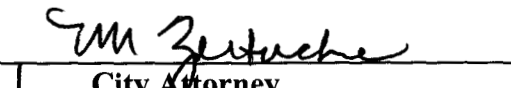
**PASSED AND APPROVED** this 5<sup>th</sup> day of April, 2007.

  
**MAYOR**  
PHIL HARDBERGER

ATTEST:

  
\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney